a first arrangement to reduce a braking force at at least one wheel, wherein the first arrangement includes a second arrangement to determine an angle of inclination of the vehicle, and the first arrangement to reduce the braking force is activatable as a function of the angle of inclination, wherein the first arrangement to reduce the braking force is activated as a function of a slip at a front wheel, and wherein the angle of inclination results from a front of the motor vehicle being elevated with respect to a rear of the motor vehicle.

12. (Amended) A method to avoid a rollover during a braking of a motor vehicle in which a braking force is reduced at at least one wheel, the method comprising:

determining an angle of inclination of the motor vehicle; and

activating a reduction of the braking force as a function of the angle of inclination, wherein the activating of the reduction of the braking force is as a function of slip at at least one front wheel, and wherein the angle of inclination results from a front of the motor vehicle being elevated with respect to a rear of the motor vehicle.

Please add the following new claims:

23. (New) The system of claim 1, wherein the slip at the front wheel is determined only when the motor vehicle is traveling backward.

24. (New) The method of claim 12, wherein the slip at the front wheel is determined only when the motor vehicle is traveling backward.

25. (New) The system of claim 1, wherein a presence of slip in the front wheel causes the reduction of the braking force at at least one rear wheel.

26. (New) The method of claim 12, wherein a presence of slip in the front wheel causes the reduction of the braking force at at least one rear wheel.

Remarks

With the addition of claims 23-26 and the cancellation of claim 11 and 22, claims 1-10, 12-21, 23, and 24 are now pending in the above-referenced application and are submitted for the Examiner's reconsideration.

The Examiner objected to the drawings for various informalities. In view of the changes made to the drawings, Applicant submits that this objection has been obviated.

Claims 1-7, 11-19, and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 4,989,922 to Pickenhahn et al. ("Pickenhahn"). Applicant has amended claims 1 and 12 to recite that the angle of inclination results from a front of the motor vehicle being elevated with respect to a rear of the motor vehicle. Support for this amendment is found at least in Figure 1. In contrast to the claims as amended, the inclination that Pickenhahn deals with is a side-to-side inclination, not front-to-back inclination, of a motorcycle traveling on a curved road. See Figure 4. Accordingly, for at least this reason, Pickenhahn does not anticipate the above-noted claims.

Claims 1-5, 8, 9, 12-16, 19, and 20 stand rejected under 35 U.S.C. § 102(a) as being anticipated by German Published Patent Application No. 198 54 463 ("the '463 reference"). Claims 6, 7, 10, 11, 17, 18, 21, and 22 stand rejected under 35 U.S.C. § 103(a) as being obvious over the '463 reference. Applicant has submitted with this Amendment a translation of this reference. With respect to the claims, Applicant has incorporated into claims 1 and 12 the subject matter of claims 11 and 22, respectively, so that claims 1 and 12 now recite that the activating of the reduction of the braking force is as a function of slip at a front wheel. In treating claims 11 and 22, the Examiner is unable to point to any portion of the '463 reference that teaches such a limitation. Instead, the Examiner asserts that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the condition of reducing the braking force at the slipping wheel in order to avoid locking of said wheel." Office Action at page 6. Applicant traverses this reasoning as being unsupported by any evidence establishing the suggestion to modify the '463 reference to teach a motor vehicle that includes such a feature. Unless the Examiner can dispense with subjective belief and rely on objective evidence to establish the obviousness of this feature, Applicant respectfully requests that claims 1 and 12 be allowed. Accordingly, for at least this reason, Applicant submits that the above-noted claims are in condition for allowance.

Applicant has added new claims 23-26. Claims 23 and 24 recite that the slip of the front wheel is determined only when the motor vehicle is traveling backward. Support for these claims is found at least at page 14, lines 32-37, of the specification. Applicant submits that none of the references relied on by the Examiner, either alone or in combination with each other, teaches or suggests the invention of claims 23 and 24. Claims 25 and 26 recite that a presence of slip in the front wheel causes the reduction of the braking force at at

least one rear wheel. Support for these claims is found at least at page 15, lines 3-7. Applicant submits that none of the references relied on by the Examiner, either alone or in combination with each other, teaches or suggests the invention of claims 25 and 26.

It is respectfully submitted that the subject matter of the present application is new, non-obvious, and useful. Prompt consideration and allowance of the application are respectfully requested.

Respectfully submitted,

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Dated: 6/13/03

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Claims

Claims 1 and 12 have been amended as follows:

1. (Amended) A system for avoiding a rollover during a braking of a motor vehicle, the system comprising:

a first arrangement to reduce a braking force at at least one wheel, wherein the first arrangement includes a second arrangement to determine an angle of inclination of the vehicle, and the first arrangement to reduce the braking force is activatable as a function of the angle of inclination, wherein the first arrangement to reduce the braking force is activated as a function of a slip at a front wheel, and wherein the angle of inclination results from a front of the motor vehicle being elevated with respect to a rear of the motor vehicle.

12. (Amended) A method to avoid a rollover during a braking of a motor vehicle in which a braking force is reduced at at least one wheel, the method comprising:

determining an angle of inclination of the motor vehicle; and

activating a reduction of the braking force as a function of the angle of inclination, wherein the activating of the reduction of the braking force is as a function of slip at at least one front wheel, and wherein the angle of inclination results from a front of the motor vehicle being elevated with respect to a rear of the motor vehicle.

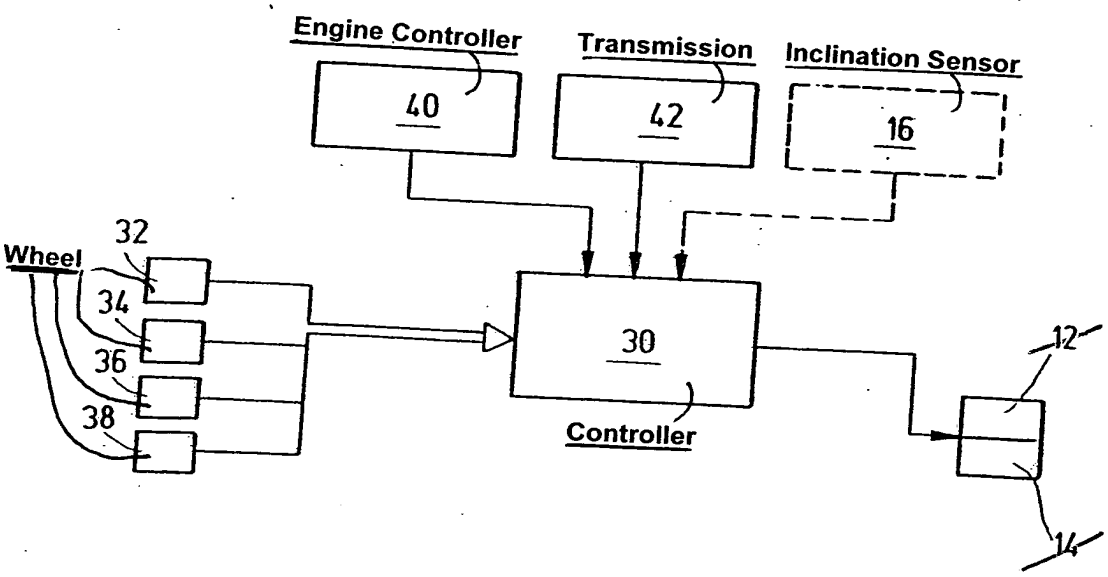

Fig.2

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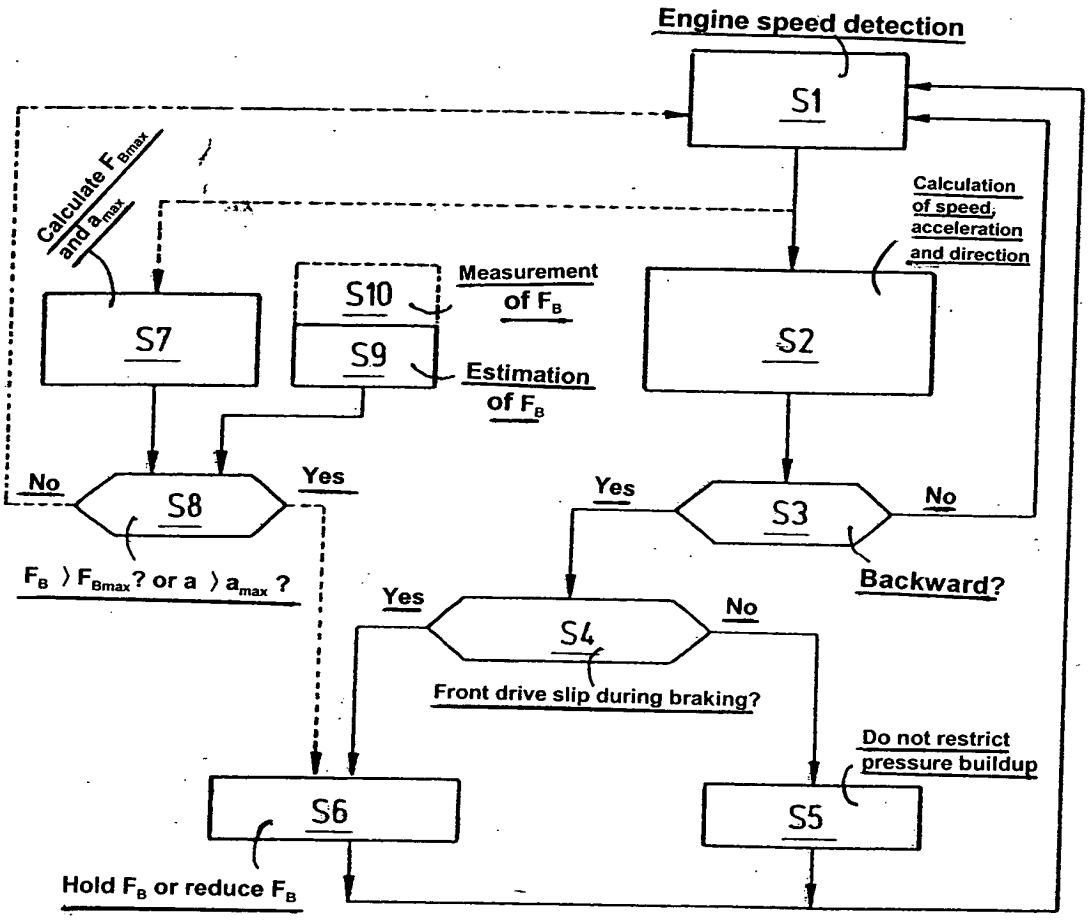

Fig.3

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